

has been substantial -- roughly 90,000 orders in August<sup>74</sup> -- and we expect that number to increase greatly over the next six months if there are no serious systems problems which constrain that growth.

Effective competition through the UNE-platform will require both CLECs and Bell Atlantic to have stable, robust, and efficient automated systems. Profit margins for serving the average residential customer are relatively modest; if CLECs are required to devote substantial resources to manual processing of orders, the costs of doing so may have a serious impact on those margins. In addition, heavy reliance on manual processes inevitably generates mistakes and delays in processing orders, which may seriously affect service quality. Customers may be wary of switching to CLECs if there is considerable uncertainty about the quality of service they offer.

Bell Atlantic has done much to develop and implement the types of automated systems that will be needed in this market environment. After serious and persistent startup problems, many of which were identified and corrected through the KPMG testing process, the systems have been developed and refined to the point that Bell Atlantic has demonstrated an acceptable level of performance in many areas.<sup>75</sup>

Despite this substantial progress, however, two concerns remain. First, a large portion of UNE-platform orders still require some degree of manual processing. This heavy reliance on manual processing unnecessarily increases CLEC costs and creates a significant risk that there will

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<sup>74</sup> See Dowell/Canny Decl., Tab 3D at 102 (OR-3-01: Percentage of Rejected Orders; this percentage is calculated based on the total number of CLEC orders submitted to Bell Atlantic); see Bell Atlantic Performance Measures Compliance Filing at 25.

<sup>75</sup> See generally KPMG Final Report.

be customer-affecting service problems when order volumes substantially increase. Second, the process of coordinating, testing, and implementing changes in Bell Atlantic's systems has generated significant problems; it is not clear that these issues have been adequately resolved.

**A. Processing Of UNE-Platform Orders**

Our concerns about Bell Atlantic's wholesale support for UNE-platform orders start with the high number of rejected orders. Overall, one third of the UNE orders that CLECs submit are rejected by Bell Atlantic.<sup>76</sup> Many of these orders are undoubtedly rejected because of errors committed by CLECs, for which Bell Atlantic should not be held responsible.<sup>77</sup> But order rejections may also occur for reasons within Bell Atlantic's control. Some "CLEC" errors may occur because Bell Atlantic has not provided adequate documentation of the requirements for valid orders,<sup>78</sup> and there is some evidence that Bell Atlantic erroneously rejects a significant number of correct orders.<sup>79</sup> The Department does not have sufficient information at this time to determine the extent to which Bell Atlantic is or is not responsible for the high levels of order rejections. But it is likely that the high rejection rate has unfortunate repercussions. CLECs must put rejected orders back into the ordering queue, and that may extend the original service due date. CLECs have to reschedule with customers service dates that are extended, particularly

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<sup>76</sup> Dowell/Canny Decl., Tab 3D at 79, 91, 102 (OR-3-01, Percent Rejected Orders: June (28.69%), July (34.01%) and August (33.65%)).

<sup>77</sup> Bell Atlantic Brief at 43.

<sup>78</sup> Crafton/Connolly Aff. ¶ 227; *see also* KPMG Final Report, POP5, IV-114, Test Cross Reference P5-13 (standard error messages on rejected orders not consistently clear and accurate).

<sup>79</sup> Crafton/Connolly Aff. at Attach. 18; Z-Tel Comments at 19.

orders for new lines.<sup>80</sup>

Even more troubling is the high level of manual processing that is required for UNE platform orders, a phenomenon that is largely within Bell Atlantic's control. At present, service representatives in Bell Atlantic's ordering center manually process almost half of UNE-platform orders.<sup>81</sup> Manually processed orders are processed much more slowly and with much higher numbers of mistakes<sup>82</sup> than electronically processed orders.<sup>83</sup> For example, while an electronically processed order confirmation is returned to the CLEC in an average of 13 minutes, a manually processed confirmation is not returned on average for 15 hours.<sup>84</sup> And Bell Atlantic's service

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<sup>80</sup> The majority of current UNE-platform orders may be for service migrations where a rescheduling might not be required, but UNE-platform orders that involve new lines for which customers must be home at installation are expected to increase as the market matures.

<sup>81</sup> Dowell/Canny Decl., Tab 3D at 79, 91, 102 (OR-5-01, Percent Flow-Through Total: June (54.48%), July (54.36%), August (59.28%)). We note that this performance measure understates the amount of manual processing that actually takes place in Bell Atlantic's ordering centers because it reports the flow-through rate for orders that are provisioned but does not include rejected orders that are not provisioned or orders that are canceled before being provisioned. *See* Bell Atlantic Performance Measures Compliance Filing at 28. When all orders submitted by CLECs are taken into account, Bell Atlantic reports that 52% of UNE-platform orders flow through electronically. DOJ Ex. 9: Excerpt from Bell Atlantic Presentation to Assistant Attorney General Joel I. Klein at 8.

<sup>82</sup> Dowell/Canny Decl. ¶ 53 & Tab 3D at 102 (OR-6-01, Order Accuracy: August (only 63.59% of electronically submitted orders correctly input by Bell Atlantic service representatives in the ordering center)); DOJ Ex. 6: Aggregate September Performance Data at 7 (OR-6-01: 42%).

<sup>83</sup> *Compare* Dowell/Canny Decl., Tab 3D at 78 (June), 92 (July), 102 (August) (OR-1-03, OR-1-04, OR-2-03, OR-2-04); DOJ Table of Processing Times at 1-2 *with* Dowell/Canny Decl., Tab 3D at 78 (June), 92 (July), 102 (August) (OR-1-01, OR-1-02, OR-2-01, OR-2-02); DOJ Table of Processing Times at 1-2.

<sup>84</sup> Dowell/Canny Decl., Tab 3D at 102 (OR-1-01 and OR-1-03).

order representatives make mistakes on a significant number of the orders on which they work.<sup>85</sup> Bell Atlantic may be improving its “on-time” performance for order confirmations and rejects, although it is difficult to know based on one month of improved performance.<sup>86</sup> Moreover, it will always take much longer to process these notices manually than it would to process them electronically, and one would expect the current level of mistakes on manually processed orders to be reduced in an automated process.

Manual processing of orders and high reject rates increase CLEC processing costs because CLECs must devote additional resources to monitor the ordering and provisioning process and correct mistakes.<sup>87</sup> Those costs can be expected to increase as order volumes increase, and such costs may impair the competitive vitality of CLECs.

It does not appear that the manual processing is creating serious customer-affecting service problems at current volumes. If, however, order volumes increase rapidly and substantially, in accordance with CLECs’ current marketing projections, there is a significant risk that customer-affecting service problems will develop, absent a reduction in the current level of manual processing. CLECs currently are giving Bell Atlantic more time to provision most UNE-platform orders than the period -- the “standard interval” -- that Bell Atlantic has told CLECs it

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<sup>85</sup> See *supra* note 82.

<sup>86</sup> See DOJ Ex. 5: DOJ Table of Processing Times (improvement from July to August on all disaggregated UNE-P metrics listed).

<sup>87</sup> See, e.g., Crafton/Connolly Aff. ¶¶ 24-29 & Confidential Attach. 2.

needs to provision these orders.<sup>88</sup> As competition for residential customers increases, CLECs will need to compete more directly on the amount of time needed to install local service. The record suggests that Bell Atlantic is not finding it easy to provision UNE-platform service when CLECs request the standard interval,<sup>89</sup> and order processing delays engendered by heavy reliance on manual processing may exacerbate the problem.

**B. Bell Atlantic Has Not Shown That Its OSS Environment Is Stable And Predictable**

The record also indicates reasons for concern relating to Bell Atlantic's record of providing the necessary support to enable CLECs to develop and maintain their interfaces with Bell Atlantic's systems. CLECs intending to mass market UNE-platform-based service will ultimately have to build their own computer software to connect their ordering systems to Bell Atlantic's order processing and provisioning systems. In prior evaluations, we highlighted the competitive importance of these "application-to-application" interfaces.<sup>90</sup> It appears to be difficult

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<sup>88</sup> Aquilina Aff. ¶ 35; Minutes of an Oral Argument, *In re: Petition of New York Telephone Company for Approval of Its Statement of Generally Available Terms and Conditions Pursuant to Section 252 of the Telecommunications Act of 1996 and Draft Filing of Petition for InterLATA Entry Pursuant to Section 271 of the Telecommunications Act of 1996*, NYPSC, Case 97-C-0271, at 4260 (Aug. 31, 1999), attached to Bell Atlantic Brief as App. C, Vol. 63, Tab 989.

<sup>89</sup> The data comparing the time it takes to provision wholesale UNE-platform orders with comparable retail orders are murky, but even Bell Atlantic's substitute analysis causes us some concern. In that analysis, Bell Atlantic appears unable to provision UNE-platform orders within the standard interval when CLECs request the standard interval. As calculated by Bell Atlantic's experts, it took Bell Atlantic on average half a day longer than the standard interval to provision UNE-platform orders in August. Gertner/Bamberger Decl. at 10, Table 4.

<sup>90</sup> See DOJ Oklahoma Evaluation, App. A at 71-76; DOJ South Carolina Evaluation, App. A at 10-14; see also *FCC South Carolina Order* ¶¶ 156-159, 166.

for CLECs to move from Bell Atlantic's proprietary web-based Graphical User Interface ("GUI") to application-to-application interfaces, such as Electronic Data Interchange ("EDI"), for gathering pre-ordering information and for submitting orders.<sup>91</sup> While there are myriad explanations for this continued dependence on the GUI,<sup>92</sup> we are concerned that Bell Atlantic's EDI documentation has been so unstable that it has impaired CLEC ability to develop these interfaces<sup>93</sup> and that Bell Atlantic has not yet demonstrated, through its change control performance reports, that it is able to provide CLECs with relatively stable and predictable documentation.<sup>94</sup>

Once they build interfaces using Bell Atlantic's documentation, CLECs must make sure that these interfaces interact correctly with Bell Atlantic's systems. Bell Atlantic provides CLECs

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<sup>91</sup> One hundred CLECs use the GUI for pre-ordering; only three CLECs use EDI. Bell Atlantic Brief at 37; Miller/Jordan Decl. ¶¶ 22-23. So far these CLECs are able only to retrieve customer service records, which is just one of several pre-order functions. *See, e.g.*, Lichtenberg/Sivori Aff. ¶ 56. More than 100 CLECs use the GUI for submitting orders; only six CLECs use EDI. Bell Atlantic Brief at 39-40; Miller/Jordan Decl. ¶ 35.

<sup>92</sup> For example, the cost of purchasing or creating the software necessary to build an application-to-application interface is high and may be out of reach for smaller CLECs. *See* Z-Tel Comments at 16.

<sup>93</sup> KPMG Final Report, RMI1, VII-8, Table VII-1.8: RMI1 Evaluation Criteria and Results, Test Cross Reference R1-6 (documentation of proposed changes untimely; finality of documentation uncertain).

<sup>94</sup> Dowell/Canny Decl., Tab 3D at 97-98 (PO-4-01, Percent Notices Sent On Time-Bell Atlantic Originated: August (only 75% of change notifications with 45-day intervals and 88% of change confirmations with 66-day intervals provided on time, during the period Bell Atlantic characterized to the Department as a "major" software change)); *see also* Bell Atlantic Performance Measures Compliance Filing at 12 (specifying that notifications have 45-day intervals and confirmations have 66-day intervals).

with a quality assurance testing environment that serves two important functions: It is the environment in which new CLECs get their software interfaces certified by Bell Atlantic, and it is where established CLECs test new releases of Bell Atlantic's interfaces. Such testing is necessary to prevent major service disruptions when Bell Atlantic makes changes in its side of the interface. KPMG found Bell Atlantic's software testing environment seriously deficient; this finding raises the concern that competitors will be unable to develop and maintain the computer connections necessary to order high volumes of UNE-platform from Bell Atlantic.<sup>95</sup>

Commendably, Bell Atlantic has recognized the importance of implementing improvements in these areas. On October 8, 1999, after filing this application, Bell Atlantic proposed a series of flow-through enhancements and presented the NYPSC with a three-phase plan to increase the percentage of UNE-platform orders processed electronically.<sup>96</sup> To improve its software documentation problems, Bell Atlantic developed a set of change management metrics designed, *inter alia*, to measure how often it provides CLECs with complete software

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<sup>95</sup> KPMG Final Report, POP1, IV-18 to IV-19, Table IV-1.9: POP1 Evaluation Criteria and Results-EDI Certification Test, Test Cross Reference P1-2.

<sup>96</sup> Bell Atlantic plans to try to increase the percentage of flow-through orders from 52% to 62-67% by October 30, 1999, to 67-72% by December 18, 1999, and to 72-77% by June 2000. See Joint October Reply Affidavit of Stuart Miller, Sean J. Sullivan and Arthur Zanfini on Behalf of Bell Atlantic-New York, NYPSC, Case No. 97-C-0271, ¶¶ 11-15, attached to Crafton/Connolly Aff. as Attach. 3. Bell Atlantic intends to increase flow-through in phase 1 primarily by rejecting more CLEC orders. The next two phases of flow-through improvement will focus on systems enhancements: software changes that permit additional order types, accounts with contracts, and order cancellations to be electronically processed.

documentation in a timely manner.<sup>97</sup> Bell Atlantic also undertook a two-phase plan to improve its quality assurance testing environment. The permanent phase of the improvement plan, a new separate testing environment, opened in late September 1999, just before Bell Atlantic filed this application.

We are hopeful that the flow-through enhancements will be successfully implemented, that Bell Atlantic is improving its ability to comply with its change management commitments and that the permanent test environment will meet CLEC testing needs. The results of these process improvements, however, do not appear in the current record.

#### **VI. Post-271 Entry Performance Commitments Should Not Be Relied Upon To Ensure Implementation Of The Process Improvements Necessary To Open the Market**

Bell Atlantic argues that if its application is granted, it will still have strong incentives to improve its performance in the areas discussed above,<sup>98</sup> pointing in particular to performance assurance plans which were orally adopted by the NYPSC on October 27, 1999.<sup>99</sup> The

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<sup>97</sup> These are metrics PO-4-01, PO-4-02, and PO-4-03 (Timeliness of Change Management Notice); PO-6-01 (Software Validation); PO-7-01, PO-7-02, PO-7-04 (Software Resolution Timeliness). Bell Atlantic Performance Measures Compliance Filing at 12 (PO-4 category), 14 (PO-6-01), 15 (PO-7 category).

<sup>98</sup> Bell Atlantic Brief at 67-71.

<sup>99</sup> Bell Atlantic filed two amended performance plans, the APAP and ACCAP, for approval by the NYPSC on September 24, 1999, less than one week before filing this application. The NYPSC orally adopted the APAP and the ACCAP at its October 27, 1999, session. A written order is expected on November 1, 1999. At this time, we do not know whether the NYPSC will order any modifications to the plans proposed by Bell Atlantic. A full analysis of the APAP must wait until the NYPSC redefines some of the performance measures on which the APAP is based. In particular, how the "Achieved Flow-Through" metric is defined will affect the efficacy of the special flow-through measure contained in section E.1 of the APAP. APAP at 11.

Department does not believe it would be wise to rely solely on these plans, rather than the more powerful incentives created by Section 271, to ensure rapid completion of necessary market-opening measures.<sup>100</sup>

The standard that the Department uses in evaluating Section 271 applications -- the requirement that local telecommunications markets be shown to be fully and irreversibly open to competition before the BOC may offer long distance services -- is based, in significant part, on the difficulty of securing rapid implementation of new and complex access arrangements through regulation alone.<sup>101</sup> Regulators necessarily have much less information than the regulated firm with which to judge which types of new arrangements are feasible, how they may best be implemented, how long it will take to implement them, and how effective they will be in achieving

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The NYPSC expects to issue an order addressing these performance measures issues during the week of November 1, 1999. Both of these orders will be issued after this Evaluation is filed with the Commission.

<sup>100</sup> In contrast, in advising the Commission to approve Bell Atlantic's New York 271 application, the NYPSC assumes that Bell Atlantic's level of wholesale performance on a number of items will improve after Bell Atlantic has received authority to offer long distance service. As part of these promised improvements, Bell Atlantic will: (1) take steps to ensure that preorder response times remain adequate as order volumes increase, NYPSC Eval. at 40; (2) improve LSRC and reject response times pursuant to additional monetary incentives in the APAP, *id.* at 43-44; (3) increase flow-through in a three-stage plan over the next several months, *id.* at 47; (4) improve "change control" compliance after long distance entry based on financial incentives in the ACCAP, *id.* at 57; (5) improve compliance with hot cut procedures after long distance entry by instituting a new measuring and reporting process, *id.* at 88-89; (6) disaggregate data relating to reported installation problems after long distance entry, *id.* at 90-91; (7) institute many process improvements for ordering and provisioning DSL loops in the ongoing collaborative process, *id.* at 92-94; (8) implement process improvements for repair of complex loops, *id.* at 99; and (9) provide unbundled "dark fiber" transport to CLECs, *id.* at 104.

<sup>101</sup> DOJ Ex. 1: Schwartz Aff. ¶¶ 154-57.

the desired wholesale performance. Moreover, the legal processes that are required to prove inadequate performance and to levy sanctions may generate substantial delay and uncertainty about the ultimate outcome of the regulatory process, and the sanctions which regulators may impose are often too small to motivate the regulated firm to implement the new arrangements rapidly, when rapid implementation will result in the loss of market power. The use of an appropriate standard under Section 271 avoids these difficulties by ensuring that the BOC has powerful incentives (*i.e.*, the ability to enter the long distance market) to cooperate to open its markets.<sup>102</sup>

Our concerns about relative efficacy of regulation (as compared to the use of incentives under an appropriate Section 271 standard) can be illustrated by specific aspects of the performance assurance plans as proposed by Bell Atlantic. The effectiveness of those plans will depend on several important factors, including (i) *clarity* as to the precise level of performance that will be required, (ii) *certainty* that inadequate performance will be sanctioned, and (iii) *adequate penalties* that are large enough to create incentives for adequate performance.

Penalties under the performance assurance plans are triggered on the basis of performance that drops below defined statistical standards on specific performance measures. But at the present time, there are still-unresolved disputes concerning the precise definitions that are or should be used for key measures and the level of performance at which penalties would be

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<sup>102</sup> Regulation has proved to be more effective at *maintaining* adequate wholesale performance once the necessary new access arrangements have been put in place and a benchmark of acceptable wholesale performance has been established. *Id.* ¶¶ 137-140.

imposed. Bell Atlantic has proposed that lower standards be applied to the special measures regarding UNE ordering performance and hot cut performance. In addition, in the parallel track metrics docket, Case 97-C-0139, Bell Atlantic requested (the day after filing the proposed amended plans) that one of the flow-through metrics included as a special measure be redefined.<sup>103</sup> If the NYPSC were to accept Bell Atlantic's proposed redefinition, Bell Atlantic would be unlikely to incur *any* penalties under the special flow-through measure even if it fails to increase its current level of flow-through.

Even after these matters are clarified, there will be opportunities for Bell Atlantic to argue that inadequate performance should not trigger penalties. Within 45 days from the end of a month showing inadequate performance, Bell Atlantic can request to have its performance results modified on three grounds: (i) clustering of data, (ii) unusual CLEC behavior (modifications if "spiked" or highly variable order volumes affects manually processed confirmation and reject times), and (iii) for absolute standards, "non-normal" operating conditions.<sup>104</sup> No procedures or time requirements for considering these waiver requests are proposed in the amended plans, and the manner in which these standards will be interpreted is unclear at this time. This creates the potential for litigation and delay in imposing penalties and uncertainty that inadequate performance will in fact be punished.<sup>105</sup>

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<sup>103</sup> APAP at 11-13 & n.13.

<sup>104</sup> APAP at 15-17.

<sup>105</sup> This concern is not merely theoretical. The Attorney General of the State of New York states that Bell Atlantic has sought waivers for at least 17 months of data under its retail performance regulatory plan since it was instituted in September 1995. NYAG Comments at 34.

The size of any penalties that may be imposed on Bell Atlantic for specific failures is not at all clear to the Department at this time. Bell Atlantic emphasizes the total penalties which could be imposed, in theory, for poor performance -- \$269 million in bill credits in the first year of the plan, and \$235 million in following years. Because of the structural caps and allocations within the plan, the penalties for specific deficiencies (*e.g.*, a failure to improve flow-through rates or to provision unbundled loops adequately) would be much smaller -- though we are unable to determine exactly how much smaller.<sup>106</sup> Moreover, there is no evidence in the application suggesting what, if any, amount of bill credits will provide sufficient incentives for Bell Atlantic to improve its current performance levels.

In offering these observations about the performance assurance plans, we do not mean to imply any criticism of the diligent efforts of the NYPSC to develop tools for assuring adequate wholesale performance. Our point, rather, is that even the best efforts to do so will have a limited degree of success because of inherent weaknesses of the regulatory process in this context. The appropriate use of Section 271 incentives will overcome some of these difficulties and, in our view, will be more effective in securing rapid and effective removal of the remaining barriers to competition in New York.<sup>107</sup>

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<sup>106</sup> According to the NYPSC, the APAP would have required Bell Atlantic to post about \$5 million in bill credits out of \$17.3 million in bill credits at stake during August had it been in place at that time. NYPSC Eval. at 7. *See also* Bell Atlantic *Ex Parte* Filing on PAP.

<sup>107</sup> We are concerned also about the precedential implications of relying on promises of future improvement as a basis for approving applications under Section 271. It would be unfortunate if future applicants were less committed to actually opening their markets because of the expectation that it would be sufficient for them to make such promises.

## **VII. Conclusions And Recommendations**

The current application demonstrates that Bell Atlantic has completed most of the steps needed to establish local telecommunications markets in New York that are fully and irreversibly open to competition. But the remaining obstacles to competition, though few in number, are significant. Effective access to unbundled loops, to provide both traditional voice and advanced data services, is a critical precondition to competition to serve important classes of customers. Competition to serve millions of residential customers through the UNE-platform will require robust and reliable electronic systems so that CLECs will have the ability to provide high quality service in an efficient manner. In both of these areas, Bell Atlantic has done a great deal to open its markets but has not completed (or demonstrated that it has completed) the process.

Because Bell Atlantic has come so far, and because of the importance of the remaining steps, this application requires careful judgments by the Commission. It is clear to the Department that Bell Atlantic should be required to demonstrate additional progress in solving the remaining problems before it is permitted to enter the long distance market. It is somewhat less clear precisely how the Commission should effectuate such a requirement.

We note, first, that some of our concerns relate to disputed factual issues, as to which, on the current record, the Department has concluded that Bell Atlantic has not made a sufficient showing. It is possible, however, that information from Reply Comments and *ex parte* submissions will provide additional support for Bell Atlantic's claims and justify a conclusion by the Commission different from that reached by the Department on the basis of the current record.

As to other issues, the Commission will need to make careful judgments concerning the most appropriate disposition of this application. The Department of Justice starts with a strong presumption -- based on the structure and terms of the statute, on the Commission's prior decisions under Section 271, and on the Department's own economic and competitive analyses -- that a BOC should be required to demonstrate that all important market opening measures have been completed *before* it may enter the long distance market. Moreover, given the procedural constraints arising from the 90-day review period for Section 271 applications, we strongly support the Commission's prior decisions limiting the ability of applicants to submit data concerning post-application performance in support of their application.

These considerations lead us to the conclusion that a BOC should not be permitted to offer in-region interLATA services as long as important constraints on local competition remain. It is, therefore, our judgment that Bell Atlantic should not be permitted to offer such services until it demonstrates that it has solved the existing problems in its provision of access to unbundled network elements.

The Commission could implement this judgment by denying Bell Atlantic's application in a manner which identifies as clearly as possible the steps that Bell Atlantic must take to secure approval in a subsequent re-application. In light of the limited nature of the remaining problems, the Commission could also consider, and make clear that it will provide, expedited review procedures for any subsequent application for New York.

As an alternative, the Commission might be able to approve this application subject to carefully crafted conditions consistent with the principles we have articulated, under which Bell

Atlantic would be permitted to offer interLATA services only after taking specified steps and demonstrating that its performance has met appropriate requirements. In weighing this option, however, the Commission should (i) consider carefully the scope of its legal authority to impose conditions on its approval of a Section 271 application, as to which we express no view; (ii) provide mechanisms sufficient to enable it to reach an informed judgment and ensure full compliance with any conditions; and (iii) take care to avoid a precedent that would permit the requirements of Section 271 to be satisfied merely by promises of future compliance. We are concerned that such a conditional approval of this application might encourage future applications in states that are less open to competition than New York has been shown to be. Still, in light of the substantial record of progress in New York reflected in the record, we do not foreclose the possibility that the Commission may be able to approve this application at the culmination of these proceedings.

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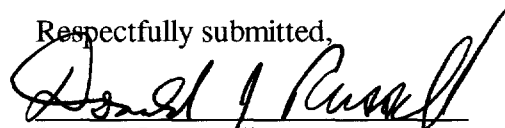
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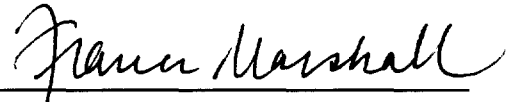
  
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## **Certificate of Service**

I hereby certify that I have caused a true and accurate copy of the foregoing Evaluation of the United States Department of Justice to be served on the persons indicated on the attached service list by first class mail, overnight mail, or hand delivery, on November 1, 1999.

A handwritten signature in cursive script, reading "Frances Marshall", written in black ink. The signature is positioned above a horizontal line.

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